

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION AT CINCINNATI**

BOARD OF TRUSTEES OF THE PLUMBERS, PIPEFITTERS & MECHANICAL EQUIPMENT SERVICE, LOCAL UNION NO. 392 PENSION FUND <i>et al.</i> ,	:	
	:	
	:	Case No. 13-CV-0004
	:	
Plaintiffs,	:	
	:	Judge Michael R. Barrett
	:	
vs.	:	
	:	
SUSAN L. HUMBERT d/b/a GENESIS MECHANICAL, an individual and sole proprietor;	:	
STEVEN L. HUMBERT d/b/a GENESIS MECHANICAL, an individual and sole proprietor;	:	<b>STIPULATED JUDGMENT</b>
STEVE REECE formerly d/b/a GENESIS MECHANICAL SERVICES, an individual and sole proprietor; and	:	<b>ORDER</b>
GENESIS MECHANICAL SERVICES, INC., an Ohio Corporation;	:	
	:	
Defendants.	:	

Plaintiffs, the BOARD OF TRUSTEES OF THE PLUMBERS, PIPEFITTERS & MECHANICAL EQUIPMENT SERVICE, LOCAL UNION NO. 392 PENSION FUND *et al.* (“Trust Funds”), by and through their counsel, Joseph E. Mallon and Jeffrey A. Krol of Johnson & Krol, LLC, the Defendants STEVEN HUMBERT (“Steven”) and SUSAN HUMBERT (“Susan”), by and through their counsel, Douglas M. Morehart of Haverkamp Riehl & Michel, Co. LPA, and the Defendants STEVE REECE d/b/a GENESIS MECHANICAL SERVICES (“Reece”) and GENESIS MECHANICAL SERVICES, INC. (“GMSI”), by and through their counsel, Bryce J. Yoder of Keating, Muething & Klekamp, PLL, hereby stipulate to entry of a Judgment in favor of the Defendants as follows:

WHEREAS, on April 1, 2019, the United States Court of Appeals for the Sixth Circuit issued its Opinion in Case Nos. 18-3686/3691 granting Defendants' appeal and denying Plaintiffs' appeal.

WHEREAS, there being no dispute amongst the Parties as to the amount of damages due Plaintiffs based upon the Appellate Court's Opinion, the Parties agree to the entry of a Stipulated Judgment in accordance with the terms below:

**IT IS HEREBY STIPULATED AND ORDERED AS FOLLOWS:**

1. All prior Judgment Orders entered by this Court are vacated.
2. Plaintiffs' Motion for Award of Attorneys' Fees (Doc. 91) is withdrawn.
3. Judgment is hereby entered in favor of the Defendants Reece and GMSI, and against the Plaintiffs.
4. Consistent with the Appellate Court's Mandate of "no costs" issued on April 23, 2019, each party shall bear and be responsible for their own attorney's fees and costs.

\_\_\_\_\_/s/ Michael R. Barrett\_\_\_\_\_  
Michael R. Barrett, Judge  
United States District Court

**Agreed and So Stipulated:**

**BOARD OF TRUSTEES OF THE  
PLUMBERS, PIPE FITTERS &  
MECHANICAL EQUIPMENT SERVICE,  
LOCAL UNION NO. 392 PENSION FUND,  
*et al.***

**SUSAN L. HUMBERT and  
STEVEN L. HUMBERT**

\_\_\_\_\_/s/ Joseph E. Mallon\_\_\_\_\_  
Joseph E. Mallon (0085786)  
Jeffrey A. Krol (*admitted pro hac vice*)  
*Counsel for Plaintiffs*  
JOHNSON & KROL, LLC

\_\_\_\_\_/s/ Douglas M. Morehart\_\_\_\_\_  
Douglas M. Morehart  
*Counsel for Defendants Steven and Susan  
Humbert*  
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**GENESIS MECHANICAL SERVICES,  
INC. and STEVE REECE**

/s/ Bryce J. Yoder  
Bryce J. Yoder  
*Counsel for Defendants Genesis  
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